

SETTLEMENT AGREEMENT

THIS AGREEMENT has been entered into between Rita Tolley & Rudy Tolley ("PLAINTIFF") and NC Department of Health and Human Resources ("DEFENDANT") as a result of a mediated settlement conference completed upon the date subscribed below.

PLAINTIFF and DEFENDANT agree as follows:

1. PLAINTIFF agrees to the following: *Plaintiffs will accept \$140,000.00 to resolve any and all claims related to I.C. NO. TA-25497 & I.C. NO. TA-25496*
2. DEFENDANT agrees to the following: *pay Plaintiffs \$140,000 within 10-15 business days after receipt of fully executed Form T-3*
3. PLAINTIFF and DEFENDANT agree that the proceeds of the check will not be disbursed by PLAINTIFF's attorney until such time as a release and dismissal with prejudice, or consent judgment, have been executed and the dismissal or consent judgment filed with the appropriate court, and the release and filed copies of the dismissal or consent judgment forwarded to DEFENDANT's attorney. *settlement + release documents*
4. Any and all claims which PLAINTIFF and DEFENDANT may have against one another, described in the litigation pending in the ~~Superior Court~~ *Industrial Commission*, case number TA 25496 & TA 25497 will, after distribution of funds and execution, filing and delivery of the appropriate release and dismissal with prejudice or consent judgment, be settled and discharged completely.
5. The parties shall be separately responsible for their own attorney's fees and the costs of the case.
6. The parties acknowledge that the mediator has advised them by this document to consult their individual legal counsel before executing this agreement.
7. PLAINTIFF AND DEFENDANT ACKNOWLEDGE THAT ALL OF THEIR AGREEMENTS REACHED IN THE MEDIATED SETTLEMENT CONFERENCE, AND EVERY PART OF EVERY AGREEMENT SO REACHED, ARE SET OUT ABOVE.

ENTERED SEP 29 2017

RECEIVED
NC DHHS
MBN2 233-7

SEP 29 2017

OFFICE OF CONTROLLER

This the 25 day of August, ~~2016~~ ²⁰¹⁷

~~Ch. T. 2017~~
~~Plaintiff, R. L. Tolley~~
~~R. L. Tolley~~
PLAINTIFF, R. L. Tolley

~~Defendant, L. R. Tolley~~
DEFENDANT

~~[Signature]~~
Attorney for PLAINTIFF

~~[Signature]~~
Attorney for DEFENDANT

Alexander G.
Walker

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